

022304

01919 U.S. PTO

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	F-272
First Inventor	Errico;
Title	Instrumentation for Inserting and Impacting an Artificial Intervertebral Disc in an Intervertebral Space
Express Mail Label No.	EU198955991US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
 2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
 3. ☒ Specification [Total Pages (preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets - 5. Oath or Declaration [Total Pages - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10 / 282,356

Prior application information:

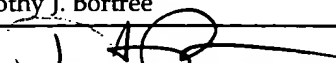
Examiner

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label
(Insert Customer No. or Attach bar code label here) or ☐ Correspondence address below

Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Timothy J. Bortree	Registration No. (Attorney/Agent)	43,506
Signature		Date	2/23/2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

22278 U.S. PTO
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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="margin: 5px 0 0 40px;">Patent fees are subject to annual revision.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT (\$) 385.00		Application Number	
		Filing Date	2/23/2004
		First Named Inventor	Errico;
		Examiner Name	
		Group Art Unit	
		Attorney Docket No.	F-272

<h3 style="text-align: center; margin: 0;">METHOD OF PAYMENT</h3> <p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: 50-2615</p> <p>Deposit Account Name: SpineCore</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p> <h3 style="text-align: center; margin: 0;">FEE CALCULATION</h3> <div style="border: 1px solid black; padding: 5px;"> <p>1. BASIC FILING FEE</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>101 710</td> <td>201 355</td> <td>Utility filing fee</td> <td style="text-align: right; border: 1px solid black;">385.00</td> </tr> <tr> <td>106 320</td> <td>206 160</td> <td>Design filing fee</td> <td style="text-align: right; border: 1px solid black;"></td> </tr> <tr> <td>107 490</td> <td>207 245</td> <td>Plant filing fee</td> <td style="text-align: right; border: 1px solid black;"></td> </tr> <tr> <td>108 710</td> <td>208 355</td> <td>Reissue filing fee</td> <td style="text-align: right; border: 1px solid black;"></td> </tr> <tr> <td>114 150</td> <td>214 75</td> <td>Provisional filing fee</td> <td style="text-align: right; border: 1px solid black;"></td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (1)</td> <td style="text-align: right; border: 1px solid black;">(\$) 385.00</td> </tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Total Claims</th> <th style="text-align: left;">Extra Claims</th> <th style="text-align: left;">Fee from below</th> <th style="text-align: left;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>18</td> <td>-20** =</td> <td>X</td> <td style="text-align: right; border: 1px solid black;">0.00</td> </tr> <tr> <td>2</td> <td>-3** =</td> <td>X</td> <td style="text-align: right; border: 1px solid black;">0.00</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right; border: 1px solid black;"></td> </tr> </tbody> </table> <p>Multiple Dependent</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th></th> </tr> </thead> <tbody> <tr> <td>103 18</td> <td>203 9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102 80</td> <td>202 40</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104 270</td> <td>204 135</td> <td>Multiple dependent claim, if not paid</td> </tr> <tr> <td>109 80</td> <td>209 40</td> <td>** Reissue independent claims over original patent</td> </tr> <tr> <td>110 18</td> <td>210 9</td> <td>** Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (2)</td> </tr> </tbody> </table> <p style="text-align: right; border: 1px solid black;">(\$) 0.00</p> <p><small>**or number previously paid, if greater; For Reissues, see above</small></p> </div>	Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code (\$)	Fee Code (\$)			101 710	201 355	Utility filing fee	385.00	106 320	206 160	Design filing fee		107 490	207 245	Plant filing fee		108 710	208 355	Reissue filing fee		114 150	214 75	Provisional filing fee		SUBTOTAL (1)			(\$) 385.00	Total Claims	Extra Claims	Fee from below	Fee Paid	18	-20** =	X	0.00	2	-3** =	X	0.00					Large Entity	Small Entity	Fee Description	Fee Code (\$)	Fee Code (\$)		103 18	203 9	Claims in excess of 20	102 80	202 40	Independent claims in excess of 3	104 270	204 135	Multiple dependent claim, if not paid	109 80	209 40	** Reissue independent claims over original patent	110 18	210 9	** Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)			<h3 style="text-align: center; margin: 0;">FEE CALCULATION (continued)</h3> <p>3. 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Timothy J. Bortree	Registration No. (Attorney/Agent)	43,506
Signature		Telephone	908-273-6461
		Date	2/23/2004

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Alexandria, VA 22313-1450

Express Mail Label Number: EU198955991US

DOCUMENTS INCLUDED:

- ☒ Patent Application Transmittal (1 page)
- ☒ Fee Transmittal Form (1 page) (in duplicate)
- ☒ Specification and Claims (54 pages) including 3 pages of claims)
- ☒ Informal Drawings (18 sheets)
- ☒ Oath(s) or Declaration(s) (3 pages)
- ☒ Power(s) of Attorney (1 pages)
- ☐ Assignment(s) (pages)
- ☐ Recordation Form Cover Sheet (1 page) (in duplicate)
- ☒ Statement Under 37 CFR 3.73(b) (1 page)
- ☒ Return Receipt Postcard
- ☐ _____
- ☐ _____
- ☐ _____

Signed: _____


Timothy J. Bortree

Reg. No. 43,506

Date: 2/23/2004

DOCKET NUMBER: F-272